

JOURNAL OF THE HOUSE.

Monday, June 28, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Hynes of Marshfield in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, Your guidance and gift of wisdom enables us to serve You and the people in our districts in a thoughtful manner. Your assistance also increases our ability to sift through the vast amount of data and information which comes to our attention in our search for truth and accuracy in legislative and policy proposals. Our constant concern for the material and spiritual well being of all people remains a top priority. May our leadership qualities, creativity and traditional principles strengthen hope and trust in the minds of the electorate in these uncertain times.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Hynes), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

Richard Mackey.

Resolutions (filed with the Clerk by Mr. Miceli of Wilmington) honoring Chief Richard Mackey on his swearing in as chief of the Tewksbury Fire Department, were referred, under Rule 85, to the committee on Rules.

Mr. DiMasi of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Nyman of Hanover, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Reports of Committees.

Gift certificates, fees.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to administrative fees on gift certificates (House, No. 4770),— and recommending that the same be referred to the committee on Banks and Banking. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Government Regulations, study.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain House documents concerning licensing, utilities, alcohol, ticket reselling, vital statistics, racing, gaming and telecommunications (House, No. 4615) reported, in part, asking to be discharged from further consideration

Of so much of the recommendations of the Office of Consumer Affairs and Business Regulation (House, No. 8) as relates to providing greater consumer protection powers to the boards within the Division of Professional Licensure (accompanied by bill, House, No. 25);

Professional Licensure.

Of the petition (accompanied by bill, House, No. 2040) of Christopher G. Fallon and others relative to periodic inspections of equipment used by certain utility companies; and

Utilities, inspections.

Of the petition (accompanied by bill, House, No. 2592) of Peter J. Koutoujian for legislation to establish a board of registration of interior designers within the Division of Registration;

Interior designers.

And recommending that the same severally be recommitted to the committee on Government Regulations.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Vallee of Franklin, for the committee on Criminal Justice, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2749) of A. Stephen Tobin and Colleen M. Garry relative to establishing new sentencing guidelines;

Sentencing guidelines.

Of the petition (accompanied by bill, House, No. 2750) of A. Stephen Tobin, Michael E. Festa, David Paul Linsky and Colleen M. Garry relative to establishing new sentencing guidelines;

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Of the petition (accompanied by bill, House, No. 3123) of Marie P. St. Fleur, Elizabeth A. Malia, Shirley Owens-Hicks, Michael E. Festa and Gloria L. Fox for legislation to provide post-release supervision for certain incarcerated persons serving determinate sentences;

Post-release supervision.

Of the petition (accompanied by bill, House, No. 3302) of David Paul Linsky, Michael E. Festa, Douglas W. Petersen, Ellen Story, Peter V. Kocot and J. James Marzilli, Jr., for legislation to establish sentencing guidelines; and

Sentencing guidelines.

Of the petition (accompanied by bill, House, No. 3570) of Barry R. Finegold and Charles A. Murphy for legislation to impose a period of post incarceration supervision;

Post-incarceration supervision.

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the joint committee.

Report of the committee on Taxation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4532) authorizing the town of Marshfield to reduce sewer fee liability and betterment charge in exchange for volunteer services by persons over the age of sixty.

Marshfield, sewer fees.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the report was considered forthwith.

Pending the question on acceptance of the report, Mr. Casey of Winchester moved that it be amended by substitution of the Bill authorizing the town of Marshfield to reduce sewer fee liability and betterment charge in exchange for volunteer services by persons over the age of sixty (House, No. 4532), which was read.

The amendment was adopted; and, under suspension of the rules on motion of Ms. Rogeness of Longmeadow, the substituted bill was read a second time forthwith; and it was ordered to a third reading.

Insurance
runners.

Report of the committee on Insurance, ought NOT to pass (under Joint Rule 10), on the recommitted petition (accompanied by bill, House, No. 1306) relative to prohibiting the use of runners for insurance claims.

Under suspension of the rules, on motion of Ms. Jehlen of Somerville, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted to the committee on Insurance, on motion of Mr. Mariano of Quincy.

Motor
vehicle
insurance.

Report of the committee on Insurance, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1523) for legislation to increase consumer choice for motor vehicle insurance.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted to the committee on Insurance, on motion of Mr. Nyman of Hanover.

Health care
benefits

Report of the committee on Insurance, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4649) that persons insured under accident and sickness policies be authorized to assign benefits to health care providers.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted to the committee on Insurance, on motion of Mr. Mariano of Quincy.

Hale
Hospital.

By Mrs. Parente of Milford, for the committee on Long-Term Debt and Capital Expenditures, that the Bill authorizing deferment of the Hale Hospital deficit notes by the city of Haverhill (House, No. 4735) ought to pass [Local Approval Received]. Referred, under Rule 33, to the committee on Ways and Means.

Chapter 30B.

By Mr. Hall of Westford, for the committee on State Administration, on Senate, No. 1664 and House, Nos. 49, 53, 2532, 2533 and 3438, a Bill relative to Chapter 30B of the General Laws and the procurement of public contracts in the Commonwealth (House, No. 4899). Read; and referred, under Rule 33, to the committee on Local Affairs and Regional Government on the part of the House.

Vehicle
protection
act.

By Mr. Mariano of Quincy, for the committee on Insurance, on a petition, a Bill establishing the vehicle protection product act (House, No. 4827). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Relative to voting precincts in the town of Amherst (Senate, No. 2040) [Local Approval Received];

Amherst.

Relative to municipal light plant department security deposits (Senate, No. 2211);

Municipal light
department.

Authorizing cities, towns and regional districts to send certain information to registered voters (Senate, No. 2221); and

Voters.

Relative to special elections to fill vacancies for Senator and Representative in Congress (Senate, No. 2404); and

Congress,
vacancies.

House bills

Relative to planning boards' approvals of subdivision plans (House, No. 191);

Planning
boards.

Providing for the destruction of certain dogs (House, No. 1056);

Relative to dangerous dogs (House, No. 1436);

Vicious dogs.

Relative to ordinances and by-laws relating to dogs (House, No. 1713);

It
Dog laws.

Increasing the number of days to appeal the decisions of a zoning variance permitting body in a municipality from twenty (20) to thirty (30) (House, No. 1902);

Zoning.

Relative to homeless facilities (House, No. 4020);

Homeless.

Relative to dogs (House, No. 4033);

Vicious dogs.

Relative to vicious dogs (House, No. 4223);

It

Authorizing the city of Haverhill to expedite the sale of real estate by public auction (House, No. 4596) [Local Approval Received];

Haverhill.

Authorizing designating a certain bridge in the city of Worcester as the Representative Robert J. Bohigian Bridge (House, No. 4761);

Worcester.

Establishing a sick leave bank for Melissa J. Cornell, an employee of the Trial Court of the Commonwealth (House, No. 4765); and

Melissa J.
Cornell.

Authorizing certain actions by the town of Nantucket to mitigate the effects of large-scale residential real estate development (House, No. 4874) [Local Approval Received];

Nantucket.

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a recommitted petition, a Bill relative to increasing the amount of damages in small claims court (House, No. 3000).

Small
claims.

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill relative to the reduction in rank for certain public employees in the city of Haverhill (House, No. 4736) [Local Approval Received].

Haverhill.

By the same member, for the same committee, on a petition, a Bill relative to exempting the position of police chief of Reading from civil service (House, No. 4757) [Local Approval Received].

Reading.

By the same member, for the same committee, on a petition, a Bill for a special law re: creditable service of certain employees of the city of Boston (House, No. 4790) [Local Approval Received].

Boston.

Boston.

By the same member, for the same committee, on a petition, a Bill relative to the reduction of rank for members of the fire department of the city of Boston (House, No. 4791) [Local Approval Received].

Thomas
McCabe.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Thomas McCabe, an employee of MCI-Norfolk (House, No. 4794).

Stoneham.

By the same member, for the same committee, on a petition, a Bill exempting the position of town hall custodian of the town of Stoneham from the civil service law (House, No. 4803) [Local Approval Received].

Hull.

By the same member, for the same committee, on a petition, a Bill exempting the position of superintendent of streets of the town of Hull from the civil service law (House, No. 4816).

Hanover.

By the same member, for the same committee, on a petition, a Bill placing certain members of the fire department of the town of Hanover under the civil service law (House, No. 4817) [Local Approval Received].

Jamie
Richard,
sick leave
bank.

By the same member, for the same committee, on a petition, a Bill establishing a paid leave bank for a certain employee of the Department of Social Services (House, No. 4841).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

Bill
enacted.

The engrossed Bill increasing the number of the permanent intermittent police force in the city of Methuen (see House, No. 4175) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reconsideration.

Woodland
And Auburn
Water
Districts.

Ms. Rogeness of Longmeadow moved that the vote be reconsidered by which the House, on Thursday last, passed to be engrossed the House Bill merging the Woodland Water District of Auburn with the Auburn Water District (House, No. 4333); and the motion to reconsider was considered forthwith; and it prevailed.

Pending the recurring question on passing the bill to be engrossed, Mr. Frost of Auburn moved that it be amended by adding at the end thereof the following section:

“SECTION 3. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4333, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders of the Day.

Third
reading
bill.

The House Bill relative to fire safety in the Commonwealth (House, No. 4550) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At twenty-one minutes after eleven o'clock A.M., on motion of Mrs. Paulsen of Belmont (Mr. Hynes of Marshfield being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.